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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/011,857	11/05/2001	Debendra Das Sharma	10017812 - 1	5264

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05/04/2004

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

DANG, KHANH NMN

ART UNIT	PAPER NUMBER
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2111

DATE MAILED: 05/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/011,857

Applicant(s)

SHARMA, DEBENDRA DAS

Examiner

Khanh Dang

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Drawings

Figures 1, 2 (A-D), 3 (A, B), and 4 should be designated by a legend such as -- Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 14, the term "electronic devices" lacks clear antecedent basis. It is unclear whether there is another "electronic device" in addition to the first and second electronic devices.

In claim 9, the word "directly" is unclear. It appears that the first and second electronic devices are connected via an "electronic communications medium."

In claim 10, the essential structural cooperative relationship(s) between the first medium, the second medium and the forwarding node have been omitted, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01.

In claim 11, the essential structural cooperative relationship(s) between the “number of electronic communication media” and the forwarding node have been omitted, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. Further, it is unclear what may be a “number of electronic communication media.”

In claim 13, it is unclear what may be “an electronic device.” There are only first and second devices recited in claim 1.

In claim 15, the essential structural cooperative relationship(s) between the “first electronic device” and “the second electronic device” have been omitted, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. Further, it is unclear what may be a “number of electronic communication media.” Further, the term “electronic devices” (page 28, line 4) lacks clear antecedent basis. It is unclear whether there is another “electronic device” in addition to the first and second electronic devices.

In claim 16, “the retry bits” lacks clear antecedent basis.

In claims 18-20, the “retry vector bit” should be changed to – retry bit --.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4-15 are rejected under 35 U.S.C. 102(e) as being anticipated by

Uchara et al. (Uchara).

At the outset, it is noted that similar claims will be grouped together to avoid repetition.

As broadly drafted, these claims do not define any structure/step that differs from Uchara.

With regard to claim 15, Uchara discloses a system containing two intercommunicating electronic devices (1a and 2a) comprising: a first electronic device or source/producing node (2a) that stores new and pending requests in an electronic memory (200) and retrieves new and pending requests from the electronic memory for transmission; a retry bit (stored in flag register 120/retry register) associated with each stored request within the first electronic device (2a); a second electronic device or destination/consuming node (1a) that accepts requests transmitted from the first electronic device (2a), transmitting back to the first electronic device an ACK reply (acknowledgement/OK), and rejects requests transmitted from the first electronic device, transmitting back to the first electronic device a NAK reply (retry); and a retry vector (see Figs 2-4 and description thereof, particularly Header Flag and Transaction ID. 4-8, 12-14) maintained by the second electronic device containing bits

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corresponding to electronic devices from which the second electronic device receives requests that need to retransmit one or more rejected requests. With regard to claims 1, 5-8, it is clear that one using the apparatus of Uchara would have performed the same step set forth in claims 1, 5-8. With regard to claim 4, it is clear that node (2a) stores new and pending request in input queue in (200). With regard to claim 9, as best the Examiner can ascertain from the language of the claim, it is clear that node (1a) and node (2a) are connected by node (3). With regard to claims 10 and 11, the interfaces between the network 3 and node 1(a) and node 2(a) are readable as first communications medium and second communication medium; the network node (3) is readable as a forwarding node. With regard to claim 12, it is clear that node 1(a) and node (2a) are bus-connected. With regard to claims 13 and 14, see Figs. 2-4, and description thereof regarding retry vector, particularly Header Flag and Transaction ID.

Allowable Subject Matter

Claims 2, 3, 16-20 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

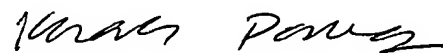
U.S. Patent Nos. 4,706,190 to Bomba et al., 6,067,603 to Carpenter et al., and US 2001/0013080 A1 to Kameyama et al. are cited as relevant art.

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Any inquiry concerning this communication should be directed to Khanh Dang at telephone number 703-308-0211.

A handwritten signature in black ink, appearing to read "Khanh Dang", with a stylized flourish at the end.

Khanh Dang
Primary Examiner